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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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HOFFMAN WARNICK & D'ALESSANDRO, LLC
75 STATE STREET
14TH FL
ALBANY, NY 12207

EXAMINER	
STORK, KYLE R	

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/087,679	BARRY ET AL.	
	Examiner	Art Unit	
	Kyle R. Stork	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 June 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This final office action is in response to the amendments filed 10 June 2005.

2. Claims 1-29 are pending. Claim 29 is added by the amendment. Claims 1, 9, 16, 22, and 29 are independent claims. The rejection of claims 1-28 under 35 U.S.C. 103 have been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1, 7-8, 16, 22, and 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barritz (USPAP US 2001/0037258 A1—filing date 4/10/2001), further in view of Mueller et al. (USPN 6,009,398—filing date 4/18/1997), hereinafter Mueller, further in view of Graber et al. (USPN 5,712,979—filing date 9/20/1995), hereinafter Graber, further in view of Boehne et al. (USPN 6,434,500 B1—filing 10/18/1999) hereinafter Boehne, and further in view of Adobe GoLive 5.0 User Guide, (published 2000) hereinafter Adobe.**

Regarding independent claim 1, Barritz discloses a system for developing a website (see Abstract, it is a website constructing tool), comprising: a content system for providing content for web pages of the website, wherein the web pages have defined categories into which the content is arranged (see Abstract, lines 1-10, the website is

constructed along categoric lines); a site diagram system for dynamically defining and depicting a relationship between the web pages (see Figure 1). Barritz fails to disclose a calendar system for defining a calendar within the website. However, Mueller discloses in col. 10, lines 60—col. 11, line 25 a system for defining a calendar within a website. It would have been obvious to one of ordinary skill in the art at the time of the invention to define a calendar within the website in order to enhance its chronological functionality. Barritz further fails to disclose a breadcrumb system for inserting breadcrumb code into the web pages. However, Graber in the Abstract lines 1-20 discloses a method for inserting history code into web pages, which is a type of breadcrumb code. It would have been obvious to one of ordinary skill in the art at the time of the invention to use Graber's breadcrumb code to enhance Barritz's invention by enhancing its web page navigation capabilities. Finally, Barritz fails to disclose a feedback system for receiving and tracking feedback related to the website. However, Boehne, in col. 3, lines 15-35, discloses the use of feedback systems with websites. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a feedback system with a website to facilitate the communication capabilities of the computer. Barritz further fails to disclose the website being adapted to be developed by a creator that has no knowledge of web-based programming. However, Adobe discloses the website being adapted to be developed by a creator that has no knowledge of web-based programming (page 1). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to use Adobe's website

creator with Barritz combination, since it would have allowed a users with varying skill sets to generate webpages (Adobe: page 1).

Regarding dependent claim 7, Barritz, Mueller, Graber, Boehne, and Adobe fail to specifically disclose that the breadcrumb code allows a reader of the website to view a list of web page links corresponding to web pages of the website visited by the reader, and further allows the reader to select a particular link on the list to return to the corresponding web page. However, it was notoriously well known in the art at the time of the invention that these capabilities were inherent to most common web browsers such as Microsoft Internet Explorer and Netscape Navigator via their history features at the time of the invention and hence any breadcrumb code would have inherently provided these capabilities. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide these capabilities via breadcrumb code in order to ensure compatibility with the history features of major browers.

Regarding dependent claim 8, Barritz discloses that the site diagram system depicts the relationship as links on the website in Figure 1.

Regarding independent claim 16, it is the method performed by a subset of the limitations of claim 1, and is rejected under similar rationale.

Regarding independent claim 22, it is a program product encoded on a recordable medium that is functionally equivalent to claim 1, and is rejected under similar rationale.

Regarding dependent claim 28, it is a program product encoded on a recordable medium that is functionally equivalent to claim 7, and is rejected under similar rationale.

5. **Claims 2, 12, 18, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barritz, further in view of Mueller, further in view of Graber, further in view of Boehne, further in view of Adobe, further in view of Yen et al. (USPN 6,724,918 B1—filing date 5/9/2000), hereinafter Yen, further in view of Carrier, III et al. (USPN 5,960,196—filing date 12/18/1996), hereinafter Carrier, III.**

Regarding dependent claim 2, Barritz discloses a category system for defining the categories and assigning creator groups thereto (see Fig. 1) and a record system for tracking changes to the content (see Fig. 3). Adobe discloses authors, editors, and administrators (page 1: Here, a publisher is an author, here a web designer is an editor, and a web programmer is an administrator). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Barritz method with Adobe's method, since it would have allowed a user to distribute tasks for web publishing. However, Barritz fails to disclose that the content for the categories can be defined only by the assigned creator groups. However, Yen discloses in col. 5, lines 35-55, how creators have exclusive rights to alter categories. It would have been obvious to one of ordinary skill in the art at the time of the invention to have creators have exclusive rights to alter categories as in Yen in Barritz in order to enforce collaborative privileges. Furthermore, Barritz fails to disclose a metric system for

tracking access to the web pages. However, Carrier, III disclose a metric system for tracking access in col. 8, lines 20-35. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Carrier, III with Barritz in order to accurate maintain records to identify patterns in access trends for the system.

Regarding dependent claim 12, it is the system claimed as in claim 9, with the additional limitations of claim 2, and it is rejected under similar rationale.

Regarding dependent claim 18, it is a method performed by a system that combines limitations from claims 1 and 2 and is rejected under similar rationale.

Regarding dependent claim 23, it is a program product encoded on a recordable medium that is functionally equivalent to claim 2, and is rejected under similar rationale.

Regarding independent claim 29, the applicant discloses the limitations similar to those in claims 9 and 12. Claim 29 is rejected under similar rationale.

6. **Claims 3, 19, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barritz, further in view of Mueller, further in view of Graber, further in view of Boehne, further in view of Adobe, further in view of Stern (USPN 6,724,918 B1—filing date 5/9/2000).**

Regarding dependent claim 3, Barritz, Mueller, Graber, Boehne, and Adobe fail to disclose a subscription system for subscribing to the website and for generating an alert to subscribers when new content is posted on the website; a currency system for generating a reminder to update the content; and an information system for generating

a list of new content that is posted to the website. However, in col. 10, line 50—col. 11, line 5, Stern discloses a subscription manager for a website that manages new content with alerts. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a subscription manager for a website that manages new content with alerts in order to help regulate access to a webpage and provide feedback to the users.

Regarding dependent claim 19, it is a method performed by a system that combines limitations from claim 3 and is rejected under similar rationale.

Regarding dependent claim 24, it is a program product encoded on a recordable medium that is functionally equivalent to claim 3, and is rejected under similar rationale.

7. **Claims 4, 20, and 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barritz, further in view of Mueller, further in view of Graber, further in view of Boehne, further in view of Adobe, further in view of Lemay ("Laura Lemay's Teach Yourself Web Publishing with HTML 4 in 14 Days", 1997, Sams.net), further in view of Towers ("Visual Quickstart Guide: Dreamweaver 2 for Windows and Macintosh", 1999, Peachpit Press).**

Regarding dependent claim 4, Barritz, Mueller, Graber, Boehne, Adobe fail to disclose a side bar system for defining a side bar of information; a link system for defining links within the content; and a view system for generating a list of current content and corresponding links based on a predetermined criterion. However, Lemay

discloses a side bar system for defining a side bar of information (see page 402, frames); a link system for defining links within the content (see page 96, link structure); and a view system for generating a list of current content and corresponding links based on a predetermined criterion (see page 97, creating link structure). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate these innovations from Lemay in to Barritz, Mueller, Graber, and Boehne because they are basic features of web design that can be used to enhance the interactive features of web pages. Furthermore, Barritz, Mueller, Graber, and Boehne fail to disclose a template system for defining a template for the web pages. However, Towers discloses on page 318 the use of templates with Dreamweaver. It would have been obvious to one of ordinary skill in the art at the time of the invention to use templates with Barritz, Mueller, Graber, and Boehne because they would have provided an organized method of web page construction.

Regarding dependent claim 20, it is a method performed by a system that combines limitations from claim 4 and is rejected under similar rationale.

Regarding dependent claim 25, it is a program product encoded on a recordable medium that is functionally equivalent to claim 4, and is rejected under similar rationale.

8. **Claims 5, 21, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barritz, further in view of Mueller, further in view of Graber, further in view of Boehne, further in view of Adobe, further in view of Conant et al.**

(USPAP US 2002/0129056 A1—filing date 2/14/2001), hereinafter Conant, further in view of Busch et al. (USPN 6,656,050 B2—filing date 8/3/2001), hereinafter Busch, further in view of Daberko (USPN 5,787,445—filing date 3/7/1996).

Regarding dependent claim 5, Barritz, Mueller, Graber, Boehne, Adobe fail to disclose a role system for defining roles of creators of the website. However, Conant, in [0059] discloses a role system. It would have been obvious to one of ordinary skill in the art at the time of the invention to have used a role system because it would have helped to manage the activity of the creators of the website. Barritz, Mueller, Graber, and Boehne further fail to disclose a promotion system for defining a promotion schedule for content to be posted on the web pages. However, Busch, in col. 1, lines 10-35 discloses a promotion system. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a promotion system as in Busch because it would have introduced sweepstakes capability into the webpages. Barritz, Mueller, Graber, and Boehne further fail to disclose a removal system for defining whether the content is hidden, deleted, or archived. However, in col. 21, Table 2, Daberko reveals use of hidden, deleted, and archived flags to facilitate file management. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a removal system with hidden, deleted, and archived flags like Daberko to facilitate file management.

Regarding dependent claim 21, it is a method performed by a system that combines limitations from claim 5 and is rejected under similar rationale.

Regarding dependent claim 26, it is a program product encoded on a recordable medium that is functionally equivalent to claim 5, and is rejected under similar rationale.

9. **Claims 6, 17, and 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barritz, further in view of Mueller, further in view of Graber, further in view of Boehne, further in view of Adobe, further in view of Helgeson et al. (USPN 6,643,652 B2—filing date 1/12/2001), hereinafter Helgeson.**

Regarding dependent claim 6, Barritz, Mueller, Graber, Boehne, and Adobe fail to disclose a loading system for converting the content from a non-HTML format into an HTML format and for loading the web pages onto a web server. However, Helgeson discloses conversion from non-HTML to HTML and a web server in col. 134, line 65—col. 135, line 25. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the non-HTML/HTML conversion and the web server from Helgeson into Barritz, Mueller, Graber, and Boehne because it would have facilitated incorporation of external content into an HTML webpage.

Regarding dependent claim 17, it is the method performed by a subset of the limitations of claim 6 and is rejected under similar rationale.

Regarding dependent claim 27, it is a program product encoded on a recordable medium that is functionally equivalent to claim 2, and is rejected under similar rationale.

10. **Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barritz, further in view of Mueller, further in view of Graber, further in view of Boehne, further in view of Adobe, further in view of Yen.**

Regarding independent claim 9, all of the limitations of this claim are rejected as in claim 1, except that wherein the content for the categories can be defined only by the assigned creator groups. However, Yen discloses in col. 5, lines 35-55, how creators have exclusive rights to alter categories. It would have been obvious to one of ordinary skill in the art at the time of the invention to have creators have exclusive rights to alter categories as in Yen in Barritz in order to enforce collaborative privileges.

11. **Claims 10-11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barritz, further in view of Mueller, further in view of Graber, further in view of Boehne, further in view of Adobe, further in view of Yen, further in view of Helgeson.**

Regarding dependent claim 10, it contains limitations of claim 6 and is rejected under similar rationale.

Regarding dependent claim 11, it contains limitations of claim 6 and is rejected under similar rationale.

12. **Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barritz, further in view of Mueller, further in view of Graber, further in view of**

Boehne, further in view of Adobe, further in view of Yen, further in view of Carrier, III, further in view of Stern.

Regarding dependent claim 13, it is the system claimed as in claim 12, with the additional limitations of claim 3; and it is rejected under similar rationale.

13. **Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barritz, further in view of Mueller, further in view of Graber, further in view of Boehne, further in view of Adobe, further in view of Yen, further in view of Carrier, III, further in view of Stern, further in view of Lemay, further in view of Towers.**

Regarding dependent claim 14, it is the system claimed as in claim 13, with the additional limitations of claim 4, and it is rejected under similar rationale.

14. **Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barritz, further in view of Mueller, further in view of Graber, further in view of Boehne, further in view of Adobe, further in view of Yen, further in view of Carrier, III, further in view of Stern, further in view of Lemay, further in view of Towers, further in view of Conant, further in view of Busch, further in view of Daberko.**

Regarding dependent claim 15, it is the system claimed as in claim 14, with the additional limitations of claim 5, and it is rejected under similar rationale.

Response to Arguments

15. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

As disclosed above, the Adobe reference has been added to address the applicant's amended claim features.

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kyle Stork
Patent Examiner
Art Unit 2178

krs

CESAR PAULA
PRIMARY EXAMINER